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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/838,317	04/20/2001	Masahiro Chiba	914-127	1874

7590                  08/26/2004

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EXAMINER

COULTER, KENNETH R

ART UNIT	PAPER NUMBER
	2141

DATE MAILED: 08/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/838,317	CHIBA, MASAHIRO
	<b>Examiner</b>	<b>Art Unit</b>
	Kenneth R Coulter	2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_ is/are allowed.
- 6) Claim(s) 1-28 is/are rejected.
- 7) Claim(s) \_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date: ____.  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/19/01; 1/28/04</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: ____.                                    |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 – 28 are rejected under 35 U.S.C. 102(e) as being disclosed by Maslov (U.S. Pat. No. 6,538,673) (Method for Extracting Digests, Reformatting, and Automatic Monitoring of Structured Online Documents Based on Visual Programming of Document Tree Navigation and Transformation).

- 2.1 Regarding claim 1, Maslov discloses an information transfer apparatus transferring to a predetermined terminal information transmitted from a server connected to a network to a client, said information transfer apparatus comprising:
  - communication means connected to said network for transmitting and receiving information with respect to another apparatus (Fig. 7);
  - terminal information storage means for storing terminal information of a terminal to which said information is to be transferred (col. 6, lines 1 - 4);

first reception means connected to said communication means for receiving information including a plurality of data items, transmitted from said server towards said client (Fig. 7);

data storage means connected to said communication means for storing said information received by said first reception means (col. 11, lines 33 - 39);

data transmission means connected to said communication means for extracting said plurality of data items from said information transmitted towards said client, and transmitting to said client said extracted data items and interface information that realizes at said client an interface to display said information in whole and to select respective data items corresponding to said extracted data items, based on said extracted data items (Abstract; Figs. 1, 7; col. 7, lines 42 - 48);

second reception means connected to said communication means for receiving from said client transfer request data requesting transfer of a data item selected from said extracted plurality of data items to a terminal (Abstract; Figs. 1, 7; col. 7, lines 42 - 48); and

transfer means connected to said communication means, said data storage means, and said terminal information storage means for converting said data item into a data format corresponding to a terminal of a predetermined transfer destination stored in said terminal information storage means for transfer to said terminal, based on said transfer request data received by said second reception means (Abstract; Figs. 1, 7; col. 7, lines 42 - 48).

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2.2 Per claim 2, Maslov teaches that information transfer apparatus according to claim 1, wherein said data transmission means comprises means for extracting said plurality of data items from said information transmitted towards said client, and transmitting to said client said extracted data items and interface information that realizes at said client an interface appearing in response to specifying a display region of a data item corresponding to said extracted data items to select respective data items corresponding to said extracted data items, based on said extracted data items (Abstract; Figs. 1, 7; col. 7, lines 42 - 48).

2.3 Regarding claim 3, Maslov discloses the information transfer apparatus according to claim 1, wherein said transfer means comprises means for converting said data item into a data format corresponding to a terminal of a predetermined transfer destination stored in said terminal information storage means, and adding information other than the data items received from said server to said converted data item for transfer to said terminal, based on said transfer request data received by said reception means (Abstract; Figs. 1, 7; col. 7, lines 42 – 48 “reformatted”).

2.4 Per claim 4, Maslov teaches the information transfer apparatus according to claim 1, further comprising terminal information reception means connected to said communication means for receiving said terminal information from said client to store in said terminal information storage means (col. 6, lines 1 - 4).

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2.5 Regarding claim 5, Maslov discloses the information transfer apparatus according to claim 2, wherein said server is a World Wide Web server, and said information relates to a web page, said interface including a select button to select a data item in said display region from said plurality of data items, said select button appearing at least inside said display region or in a neighborhood of said display region in response to specifying respective display regions of said extracted plurality of data items from said web page (Fig. 2; Abstract "a user selects a fragment of an online document").

2.6 Per claim 6, Maslov teaches the information transfer apparatus according to claim 5, wherein said interface includes a transfer destination select button to select a transfer destination of a selected data item, and a data select button to select a data item of said display region from said plurality of data items, said data select button appearing at least inside said display region or in a neighborhood of said display region in response to specifying respective display regions of said extracted plurality of data items from said web page (Abstract; Figs. 1, 2).

2.7 Regarding claim 7, Maslov discloses the information transfer apparatus according to claim 5, includes a data select button to select a data item of said display region from said plurality of data items, and a transfer destination select button to select a transfer destination of said selected data item, said data select button and said transfer destination select button appearing at least in said display region or in a

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neighborhood of said display region in response to specifying respective display regions of said extracted plurality of data items from said web page (Abstract; Figs. 1, 2).

2.8 Per claims 8 – 28, the rejection of claims 1 – 7 under 35 USC 102(e) (paragraphs 2.1 – 2.7) applies fully.

In addition, Maslov teaches adding information other than the data item received from said server to said converted data item for transfer to said terminal (col. 1, lines 53 - 58).

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth R Coulter whose telephone number is 703 305-8447. The examiner can normally be reached on 5 4 9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 703 305-4003. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KENNETH R. COULTER  
PRIMARY EXAMINER  
*Kenneth R. Coulter*

krc